IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR. No.600 of 2003
Date of decision 9.03.2009

Ranjeet Singh .....Petitioner

versus

State of Haryana .....Respondent

Coram:- Hon'ble Mr. Justice A. N. JINDAL.

Present: Mr. S. S. Dinarpur, Advocate for the petitioner.

Ms. Rajat Goyal, AAG, Haryana.

A. N. JINDAL, J (ORAL)

The petitioner was convicted by the learned Chief Judicial Magistrate Ist Class, Kurukshetra on 20.9.1999 under Sections 279, 337, 338 and 304-A IPC whereas vide judgment dated 27.02.2003, passed by Additional Sessions Judge, Kurukshetra, he was acquitted of the charge under Section 304-A IPC however he was sentenced to undergo three months R.I under Section 279 IPC, three months rigorous imprisonment under Section 337 and six months rigorous imprisonment for under Section 338 IPC.

No argument has been advanced on the point of conviction but indulgence has been sought on the quantum of sentence.

In this case, the occurrence took place on 30.5.1990 and the petitioner has suffered a lot due to the protracted proceedings. The petitioner is ready to compensate the injured person i.e. Satpal, Hemraj, Hemlata, Munish, Ram Piyari and Sewa Singh for the injuries suffered by them. It appears that the injured persons were

sitting in the bus which was driven by the petitioner and as a result of impact of accident they suffered injuries. Taking conspectus of all the circumstances of the case and the fact that the petitioner had already undergone for two months and 10 days out of substantive sentence and that they had suffered injuries in the bus driven by the petitioner as a result impact of accident he deserved some leniency in the quantum of sentence.

Resultantly, this petition is dismissed with the modification in the sentence to the extent that he be released on probation under Section 4(1) of the Probation of Offenders Act, 1956 on his executing bonds in the sum of Rs.5000/- with one surety in the like amount to the satisfaction of the trial Court for a period of one year within which period he will continue to be good behaviour and keep peace and in case of breach of conditions of the bonds, he will be ready to serve the sentence as and when called for. It is further directed that he shall deposit Rs.25,000/- on account of compensation within four months from today which shall be payable to the legal heirs of the deceased equally, failing which this petition shall be treated as dismissed in toto.

(A. N. JINDAL)
JUDGE

09.03.2009
A.Kaundal